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9 *Attorneys for Defendants*

10 CITY OF LOS ANGELES, CHARLES BECK, ROBERT CHAVIRA,
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12 GARY HANSEN, ROY GUTHRIE and RYAN SHAFFER

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

15 AHMAD SHAPOUR ARIAN and
16 DEENA ARIAN,

17 *Plaintiffs,*

18 vs.

19 CITY OF LOS ANGELES, *et al.*

20 *Defendants.*

Case No. CV12-05261 RGK (PLAx)

Assigned to Trial Judge: Hon. R. Gary Klausner
Courtroom: 850 - Roybal

~~PROPOSED~~

JUDGMENT RE: DEFENDANTS
CITY OF LOS ANGELES, ET AL'S
MOTION FOR SUMMARY
JUDGMENT

21 Defendants, City of Los Angeles, Chief Charlie Beck, Officers Robert Luna,
22 Robert Chavira, Dexter Barras, Gary Hansen, Daniel Bunch, Jose Anzora, Ryan Shaffer,
23 and Sergeant Roy Guthrie, [hereinafter "Defendants"], represented by Deputy City
24 Attorney Denise C. Mills, filed a motion for summary judgment on the following claims
25 brought by Plaintiffs in their First Amended Complaint; (1) violation of the Fourth
26 Amendment; (2) *Monell* liability; and (3) wrongful death (including negligence and
27 battery). Plaintiffs, Ahmad Shapour Arian and Deena Arian opposed the motion through
28 their counsel Jeffrey M. Galen. Plaintiffs had previously dismissed their claim as to the

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1 Fourth Amendment.

2 After considering the moving, opposing, and reply papers, the Court issued its
3 Order granting the Motion for Summary Judgment in favor of Defendants.

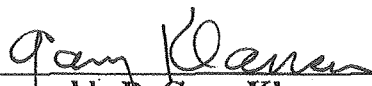
4 As to the federal claims, the Court determined that the Officers' use of deadly
5 force was objectively reasonable and therefore, not unconstitutional. The Court, further,
6 determined that the Plaintiffs failed to satisfy their burden of establishing a triable issue
7 of material fact as to whether Officers' use of deadly force was reasonable under the
8 circumstances. The Court also found that the Officers were entitled to qualified
9 immunity. Given that there was no underlying Constitutional violation, Plaintiffs'
10 *Monell* claim fails as a matter of law.

11 As to Plaintiffs' state law claims, the Court found that the Officers were immune
12 from civil liability for wrongful death, negligence and battery given that the Officers
13 committed justifiable homicide as defined by California Penal Code section 196.

14 For the reasons set forth by this Court granting the Summary Judgment, judgment
15 is hereby entered in Defendants' favor and against Ahmad Shapour Arian and Deena
16 Arian. As the Defendants are the prevailing party, they shall be entitled to recover their
17 costs reasonably incurred according to the federal rules.

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19 **IT IS SO ORDERED:**

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21 DATED: 08.15.2013



Honorable R. Gary Klausner
United States District Court Judge